

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q95279

Naoko KIDA, et al.

Appln. No.: 10/581,911

Group Art Unit: 1651

Confirmation No.: 8940

Examiner: Thane E UNDERDAHL

Filed: June 7, 2006

For: METHOD FOR THREE-DIMENSIONAL CARTILAGE TISSUE ENGINEERING  
USING BONE MARROW CELLS IN SIMULATED MICROGRAVITY  
ENVIRONMENT

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

**ATTN:** Office of Initial Patent Examination  
Filing Receipt Correction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

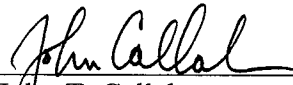
We enclose a copy of the Corrected Official Filing Receipt for the above-identified application and request the following correction:

Please change the Title as follows:

Method for three-dimensional cartilage tissue engineering using bone marrow cells in  
~~tissue engineering bone marrow cells~~ in simulated microgravity environment

Verification for the requested correction is indicated on the Declaration filed June 7, 2006.

Respectfully submitted,

  
\_\_\_\_\_  
John T. Callahan  
Registration No. 32,607

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: June 27, 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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| APPL NO.   | FILING OR 371(c)<br>DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | TOT CLMS | IND CLMS |
|------------|--------------------------|----------|---------------|-----------------|----------|----------|
| 10/581,911 | 06/07/2006               | 1651     | 900           | Q95279          | 9        | 1        |

CONFIRMATION NO. 8940

CORRECTED FILING RECEIPT



\*OC000000023831667\*

23373  
 SUGHRUE MION, PLLC  
 2100 PENNSYLVANIA AVENUE, N.W.  
 SUITE 800  
 WASHINGTON, DC 20037

Date Mailed: 05/11/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Naoko Kida, Ibaraki, JAPAN;  
 Toshimasa Uemura, Ibaraki, JAPAN;  
 Junzo Tanaka, Ibaraki, JAPAN;  
 Yoshimi Oyabu, Ibaraki, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 23373.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/JP04/18339 12/02/2004

**Foreign Applications**

JAPAN 2003-413758 12/11/2003  
 JAPAN 2004-096686 03/29/2004

**If Required, Foreign Filing License Granted:** 02/10/2007

**The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is** **US10/581,911**

**Projected Publication Date:** 05/24/2007

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Method for three-dimensional cartilage tissue engineering using bone marrow cells in tissue engineering bone marrow cells in simulated microgravity environment

**Preliminary Class**

435

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Attorney's Docket No.: \_\_\_\_\_

**DECLARATION, POWER OF ATTORNEY AND PETITION**

I (We), the undersigned inventor(s), hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,  
I (We) believe that I am (we are) the original, first, and joint (sole) inventor(s) of the  
subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD FOR THREE-DIMENSIONAL CARTILAGE TISSUE**  
**ENGINEERING USING BONE MARROW CELLS IN SIMULATED**  
**MICROGRAVITY ENVIRONMENT**

the specification of which

- ☐ is attached hereto.
- ☐ was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and amended on \_\_\_\_\_.
- ☒ was filed as PCT international application  
Number PCT/JP2004/018339  
on December 2, 2004  
and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I (We) hereby state that I (We) have reviewed and understand the contents of the  
above-identified specification, including the claims, as amended by any amendment  
referred to above; that I (We) do not know and do not believe that this invention was  
ever known or used before my invention or discovery thereof, or patented or described in  
any printed publication in any country before my invention or discovery thereof, or more  
than one year prior to this application, or in public use or on sale in the United States for  
more than one year prior to this application; that this invention or discovery has not been  
patented or made the subject of an inventor's certificate in any country foreign to the  
United States on an application filed by me or my legal representatives or assigns more  
than twelve months before this application.

I (We) acknowledge the duty to disclose information known to be material to the  
patentability of this application as defined in Section 1.56 of Title 37 Code of Federal  
Regulations.

I (We) hereby claim foreign priority benefits under Section 119(a)-(d) of Title 35 United States Code, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Application No.    | Country      | Filing date              | Priority<br>claimed   |
|--------------------|--------------|--------------------------|---|
| <u>2003-413758</u> | <u>Japan</u> | <u>December 11, 2003</u> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <u>2004-096686</u> | <u>Japan</u> | <u>March 29, 2004</u>    | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| _____              | _____        | _____                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
| _____              | _____        | _____                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |

I hereby claim the benefit under Section 119(e) of Title 35 United States Code, of any United States application(s) listed below.

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

I (We) hereby claim the benefit under Section 120 of Title 35 United States Code, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Section 112 of Title 35 United States Code, I (We) acknowledge the duty to disclose material information as defined in Section 1.56(a) of Title 37 Code of Federal Regulations, which occurred between the filing date of the prior application and national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Status (pending,<br>patented,<br>abandoned) |
|------------------------|-------------|---|
| _____                  | _____       | _____                                       |
| _____                  | _____       | _____                                       |
| _____                  | _____       | _____                                       |

And I (We) hereby appoint: **SUGHRUE MION, PLLC**, CUSTOMER NUMBER  
23373

I(We) hereby request that all correspondence regarding this application be sent to the  
firm of **SUGHRUE MION, PLLC** whose Post office address is: **2100 Pennsylvania  
Avenue, N.W., Washington, D.C. 20037-3213 U.S.A.**

I (We) declare further that all statements made herein of my (our) knowledge are true  
and that all statements were made with the knowledge that willful false statements and  
the like so made are punishable by fine or imprisonment, or both, under Section 1001 of  
Title 18 of the United States Code and that such willful false statements may jeopardize  
the validity of the application or any patent issued thereon.

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Naoko Kida

Signature of Inventor

May 26, 2006

Date

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Citizen of: Japan

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Signature of Inventor

May 26, 2006

Date

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Signature of Inventor

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Date

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Signature of Inventor

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Date

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